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9 ANGEL GIARMO,

10 Petitioner,

VS.

THE STATE OF NEVADA,

Respondent.

UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

Case No. 2:15-cv-00726-RCJ-NJK

## **ORDER**

The court has received an incomplete motion for appointment of counsel (#2) from petitioner, consisting only of the first page of a form motion. Petitioner has not paid the filing fee, has not moved to proceed <u>in forma pauperis</u>, and has not submitted a petition for a writ of habeas corpus. Petitioner will need to correct these defects if she wishes to proceed with this action.

IT IS THEREFORE ORDERED that the motion for appointment of counsel (#2) is **DENIED**.

IT IS FURTHER ORDERED petitioner shall file an application for leave to proceed in forma pauperis, accompanied by a signed financial certificate and a statement of her inmate account. The clerk of the court shall send petitioner a blank application form for incarcerated litigants. In the alternative, petitioner shall make the necessary arrangements to pay the filing fee of five dollars (\$5.00), accompanied by a copy of this order. Petitioner shall have thirty (30) days from the date that this order is entered to comply. Failure to comply will result in the dismissal of this action.

IT IS FURTHER ORDERED that the clerk of the court shall send petitioner a blank form for a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 and instructions. Petitioner shall

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have thirty (30) days from the date that this order is entered to file a completed and signed petition, or the court will dismiss this action.

IT IS FURTHER ORDERED that neither the time limits above, nor any extension of them, shall be construed as an extension of the one-year period of limitation of 28 U.S.C. § 2244(d)(1). Petitioner remains responsible for calculating whether the petition that she files is timely.

Dated: May 7, 2015

ROBERT C. ONES United States District Judge